



PUGET SOUND PARTNERSHIP LEGISLATIVE UPDATE, WEEK 4

FEBRUARY 2, 2015 | DAY 22 OF THE 105-DAY LEGISLATIVE SESSION

The Puget Sound Partnership's Legislative Update highlights issues related to our region's work to protect and restore the health of Puget Sound.

WATER POLLUTION AND HABITAT RESTORATION TAKE CENTER STAGE AT COMMITTEE HEARINGS

The third week of the 2015 Legislative Session featured public hearings on bills concerning the financing of stormwater, floodplain, and water supply projects; limiting habitat restoration on farmland; improving the management of forage fish resources; reducing greenhouse gas emissions; and protecting waterways from plastic microbead pollution.

- The **Senate Ways & Means Committee** conducted a **public hearing Monday, Jan. 26**, for **SB 5628**, which would establish, via referendum, the **Washington Waters Act**. The act would create a water infrastructure account funded by a statewide annual special benefit assessment that would be used to reduce stormwater pollution, reduce the risk of flooding, protect against damage caused by floods, protect and restore naturally functioning areas where floods occur and improve the availability and reliability of water supplies for instream flows and out-of-stream uses. Puget Sound Partnership Executive Director Sheida Sahandy testified at this hearing about the high-priority need for investment in stormwater management. She noted that the Partnership's established system and processes for setting priorities and ranking potential projects could greatly benefit the act, if it were to pass. A recording of the public hearing is [available on TVW](#).
- On **Tuesday, Jan. 27**, the **Senate Committee on Agriculture, Water & Rural Economic Development** and the **House Committee on Local Government** held hearings on a number of bills that would preclude restoration of agricultural land to tidal inundation, wetlands, or fish habitat. The Puget Sound Partnership testified in opposition to **SB 5168, 5169, 5170, and 5013**, as well as on **HB 1629 and 1630**. A summary of the testimony is included in this Update. Recordings of the public hearings are [available on TVW](#).
- Also on **Tuesday, Jan. 27**, the **House Committee on Agriculture & Natural Resources** conducted a **public hearing on HB 1152**, which concerns the management of **forage fish resources**. This is the

2015 LEGISLATIVE SESSION

- The 2015 Legislative Session is scheduled from Jan. 12 to April 26, 2015.
- Puget Sound Legislative Updates are posted at: http://www.psp.wa.gov/legislative_updates.php
- For up-to-date legislative information, visit: www.leg.wa.gov
- Watch or listen to hearings and work sessions on: www.tvw.org
- Connect with PSP for breaking news and other events affecting Puget Sound on Twitter @PSPPartnership and Facebook: www.facebook.com/PugetSoundPartnership

Communication & Coordination:

If you have questions or concerns about the legislative priorities for the Puget Sound Partnership, please contact:

Jeff Parsons

Legislative Policy Director
jeff.parsons@psp.wa.gov
509-264-4905

companion bill to **SB 5156**, heard last week by the **Senate Committee on Natural Resources & Parks**. The Partnership testified in support of the bill. Understanding forage fish spawning distribution and abundance in Puget Sound is critical to understanding key pressures and limiting factors for many species for which we have recovery goals, including salmon and other fish species, marine birds, and many marine mammals. A recording of the public hearing is [available on TVW](#).

- In yet another public hearing on **Tuesday, Jan. 27**, (and extended to Thursday, Jan. 29) the **House Committee on the Environment** heard testimony regarding **HB 1314, the Carbon Pollution Accountability Act**, introduced at the request of Governor Inslee. The bill would establish a market-based greenhouse gas emissions program to be implemented by the Department of Ecology. The act would require facilities, fuel suppliers, and electricity importers whose annual greenhouse gas emissions exceed 25,000 metric tons of carbon dioxide to obtain carbon emissions allowances. Auctions for carbon emissions allowances would provide dedicated funding for transportation projects, education, housing assistance programs, a sales tax rebate to low-income persons, a business and occupation tax credit for certain energy-intensive industries, and rural economic assistance programs. A recording of the public hearing is [available on TVW](#).
- On **Thursday, January 29**, the **House Committee on the Environment** conducted a public hearing **HB 1378**, a bill intended to protect waterways from pollution caused by **synthetic plastic microbeads**. The bill would phase out the manufacturing and wholesale purchase of personal care products and over-the-counter drugs containing synthetic plastic microbeads. The Partnership signed in to support the bill. Microbeads make their way into waterways, the marine environment and the food web. The plastic and the pollutants that adhere to it have proven toxic to marine life. A recording of the public hearing (audio only) is [available on TVW](#).

UPCOMING HIGHLIGHTS OF WEEK 4

On **Monday, Feb. 2**, the **House Committee on the Environment** will hear **HB 1472**, concerning use of **chemical action plans to require safer chemicals** in Washington state. The bill was introduced at the request of Governor Inslee. On **Tuesday, Feb. 3**, the committee will reconvene to hear another bill requested by Governor Inslee, **HB 1449**, concerning **oil transportation safety**.

On **Tuesday, Feb. 3**, the **House Capital Budget Committee** will receive testimony on **HB 1399**, annually adjusting the limit on distribution of **hazardous substance tax revenues to the state and local toxics control accounts** to correct for inflation. The legislation was introduced at the request of the Department of Ecology.

On **Wednesday, Feb. 4**, the **House Appropriations Committee** will conduct a public hearing for **HB 1620**, increasing the surcharge to **fund biotoxin testing and monitoring**. The legislation will improve monitoring of biotoxins and harmful algal blooms that can impact shellfish harvest and present a risk to human health. The legislation was introduced at the request of the Department of Health.

Two bills that address invasive species will receive a public hearing this week. At 8 a.m. on **Wednesday, Feb. 4**, the **House Committee on Agriculture & Natural Resources** will hear **HB 1654, controlling noxious weeds** while still supporting pollen-rich forage plant communities for honey bees. On **Thursday, Feb. 5**, at 8 a.m., the **Senate Committee on Agriculture, Water & Rural Economic Development** will hear **SB 5273, concerning native and reclamation seeds**. Both of these bills encourage the use of native plants for habitat restoration projects.

On **Thursday, Feb. 5**, the **Senate Ways & Means Committee** will hear public testimony regarding Governor Inslee's **capital budget request**. The request includes money for the **Puget Sound Acquisition and Restoration** fund, one of the prime mechanisms making grants available for projects that protect or restore salmon habitat in Puget Sound; floodplain management grants through the Department of Ecology's **Floodplains by Design** program; and **stormwater management** grants to help local governments undertake projects to address stormwater pollution.

Other important hearings that we'll be closely following this week include **SJM 8007**, asking Congress to provide the National Oceanic and Atmospheric Administration fisheries with sufficient resources to expedite review of Puget Sound hatchery and genetic management plans; **HB 1571**, concerning paint stewardship; **SB 5366**, limiting the enforcement of Department of Ecology policies; and **SB 5604**, addressing the review and evaluation of countywide planning policies under the Growth Management Act.

For the most current information about legislative committee activities, including meeting agendas, times and locations, go to www.leg.wa.gov. Many committee meetings are broadcast live on the State Capitol's public service television station, TVW. For a schedule, go to www.tvw.org.

PARTNERSHIP TESTIFIES ON THE IMPORTANCE OF ESTUARY RESTORATION TO THE HEALTH OF PUGET SOUND

On Tuesday, Jan. 27, Todd Hass, a scientist with the Puget Sound Partnership, testified before the Senate Committee on Agriculture, Water & Rural Economic Development and the House Committee on Local Government opposing a series of bills that, if passed, would severely hinder Puget Sound recovery efforts. The Puget Sound Partnership supports efforts to protect working farms and agriculture. In particular, Strategy A3 in the Puget Sound Action Agenda urges that the region be creative and flexible when *simultaneously* trying to balance the needs of fish, floods and farms. However, the Puget Sound Partnership opposes a number of bills being considered by both houses of the Legislature this session taking an approach to farmland preservation that would preclude restoration of agricultural land to tidal inundation, wetlands, or fish habitat.

Over the past 100 years, Puget Sound has lost more than 75 percent of its historic tidally inundated estuaries because of development. Estuaries serve as habitat bridges between the rivers and salt water. As such, they offer critical nursery habitat for outbound juvenile salmon and other species. Estuary habitat cannot be gained except where river sediment meets and mixes with the tides. Only 16 major river estuaries provide this important function for the Sound.

Because estuaries are so vital to a healthy Puget Sound, a key recovery goal involves restoring, by the year 2020, more than 7,000 acres of tidal estuary habitat by 2020. This represents only a gain of 15 percent recovery toward the 75 percent of estuaries lost. The bills that would prevent estuary restoration include:

- **HB 1629 and 1630** preclude the restoration of tidal inundation to "designated agricultural land" for the purpose of creating wetland or fish habitat. These bills would thus effectively end regional progress on a pivotal Puget Sound Vital Sign – one for which advancement is a keystone for the recovery of critical ecosystem components, such as Chinook salmon and eelgrass.
- **SB 5168** precludes tidal inundation on actual or potential "agricultural land."

- **SB 5169 and 5170** preclude tidal inundation on land designated as agricultural. Agricultural land could not be converted to wetland or fish habitat, nor could it be subjected to tidal inundation.

COMMITTEES CONSIDER LEGISLATION IMPORTANT TO PUGET SOUND RECOVERY

The Partnership is tracking a number of bills that could have an impact on the health and recovery of Puget Sound. A few priority bills that we're following are listed below. For the most up-to-date status of the bills, check the legislative information website, www.leg.wa.gov.

- **HB 1409**, concerning the disclosure of vessel owner information. Sponsored by Rep. Walkinshaw and referred to the House Committee on Transportation, the bill would support efforts by local government and the Department of Natural Resources to identify the owner of derelict or lost vessels. Derelict vessels pose a pollution threat to Puget Sound. The Partnership supports this bill.
- **HB 1809**, establishing a minimum crew size on certain trains. Sponsored by Rep. Haler and referred to the House Labor Committee, the bill would improve the safety of hazardous material trains by increasing crew sizes. Train accidents that release hazardous materials into Puget Sound waterways pose a pollution threat to Puget Sound. The Partnership supports this bill.
- **HJR 4205**, requiring all revenues from any state taxes levied for the purpose of funding local government public infrastructure to be paid into the state treasury, deposited into the public works assistance account, and used exclusively for funding local government public works projects. Sponsored by Rep. Pike and referred to the House Appropriations Committee, the resolution would allow the voters to approve a constitutional amendment that adds language strengthening the base intent of RCW 53.155.050 (Public Works Assistance Account), which was created for the express purpose of financing public works projects through various mechanisms. Having a constitutional restriction on revenues deposited into the account dedicated for public works projects would add a level of reliability to the funding and ensure projects could be constructed every biennium. Adequate public infrastructure is key to resolving issues of stormwater pollution to Puget Sound. The Partnership supports this bill.
- **SB 5432**, concerning retail store carryout bags. Sponsored by Sen. Chase and referred to the Senate Committee on Energy, Environment & Telecommunications, the bill would establish financial incentives to reduce paper and plastic bag use. Plastic bags pose a serious pollution hazard to the marine environment, and the Partnership supports this bill, with certain changes.
- **SB 5614**, concerning the maintenance and operations of parks and recreational land acquired through the conservation futures program. Sponsored by Sen. Benton and referred to the Senate Committee on Natural Resources & Parks, the bill would help to fund ongoing maintenance costs of land acquired through the Conservation Futures Program. The program has been a major source of local revenue to purchase important lands for habitat protection that benefits Puget Sound. The Partnership supports this legislation.